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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No. 3:20-cr-00216-BR

Plaintiff,

DECLARATION OF
BRYAN FRANCESCONI IN SUPPORT
OF MOTION TO CONTINUE TRIAL
DATE

v.

BENJAMIN BOLEN,

Defendant.

I, Bryan Francesconi, declare:

1. I am the attorney appointed to represent Benjamin Bolen in the above-entitled case.
2. A jury trial in this case is currently scheduled for June 15, 2021. Mr. Bolen was arraigned on July 13, 2020. This is the fourth continuance sought by the defense.
3. Mr. Bolen is currently on release and in compliance with the conditions thereof.
4. Counsel is scheduled to depart on a personal vacation on June 16, 2021 and will not be available for the current trial date.
5. Due to the COVID pandemic, Mr. Bolen and counsel met in person for the first time on June 1, 2021. Coming out of that meeting, counsel has a number of follow-up items that need to be accomplished in preparation for trial.

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CONTINUE TRIAL DATE

6. Mr. Bolen received a formal offer from the government on May 27, 2021. Mr. Bolen, counsel, and the government are continuing conversations on whether Mr. Bolen will resolve his case.

7. Mr. Bolen has received discovery and the defense is conducting additional legal work, including evaluating a number of novel legal issues related to these kinds of prosecutions. At the same time, counsel has some additional investigation that needs to be completed on this case related to the instant conduct. This information relates to Mr. Bolen's culpability for the instant offense.

8. Mr. Bolen therefore respectfully requests that this Court continue his case for a period of approximately 90 days to September 14, 2021, or a date thereafter convenient to the Court to accomplish these tasks.

9. I have discussed with Mr. Bolen his right to a speedy trial. He agrees to the continuance and knows it will result in excludable delay under the provisions of 18 U.S.C. § 3161(h)(7)(A) of the Speedy Trial Act.

10. The Government, through Assistant United States Attorney Ashley Cadotte, does not object to this request.

11. I make this motion in good faith and not for the purpose of delay.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and belief and that this declaration was executed on June 1, 2021 in Portland, Oregon.

/s/ Bryan Francesconi
Bryan Francesconi
Attorney for Defendant